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Comments (submitted as an Individual) in response to the Notice of Inquiry issued by the National Telecommunications and Information Administration of the U.S. Department of Commerce on the Internet Assigned Numbers Authority (IANA) functions

1. The IANA functions have been viewed historically as a set of interdependent technical functions and accordingly performed together by a single entity. In light of technology changes and market developments, should the IANA functions continue to be treated as interdependent? For example, does the coordination of the assignment of technical protocol parameters need to be done by the same entity that administers certain responsibilities associated with root zone management? Please provide specific information to support why or why not, taking into account security and stability issues.

It is a good idea to continue to have all the IANA functions performed together by a single entity to preserve the Internet as a unified network of networks. The present functions of IANA are central and critical to the functioning of the Internet and it is not wise to distribute these core functions among multiple entities, which could cause interorganizational communication latencies and larger (or at least subtle) coordination issues, which are to be avoided for the smooth functioning of the Internet.

2. The performance of the IANA functions often relies upon the policies and procedures developed by a variety of entities within the Internet technical community such as the IETF, the RIRs and ccTLD operators. Should the IANA functions contract include references to these entities, the policies they develop and instructions that the contractor follow the policies? Please provide specific information as to why or why not. If yes, please provide language you believe accurately captures these relationships.

This process of including references to various entities has to ensure enormous care in identifying the entities for this purpose, to start with. It is important to ensure that the IANA embraces only those policies that are developed by the traditional Internet Technical Community which is a community free of direct and indirect commercial links in the business of communication and a community that remains free of political aspiration for enhanced commercial ends. The Internet Technical Community is the one driven by a passion to contribute more and more to the evolution of the Internet while the unfathomable commercial potential of the Internet has caused Commercial entities to

aspire for control of the Internet Standards process. Internet, at its core, is a community process driven by a desire to continue its evolution as a free, open, accessible and universal medium beyond barriers. The Technical Community including the IETF continuously contribute to the Internet and their role and contribution has been central and significant. It would be fair to make a reference to the policies and standards developed by the Internet Community with a strong recommendation that the policies be largely embraced as developed and where there is a compelling need felt to alter developed policies IANA could request review of components of the policy.

The policies developed by RIR's as regional organs could be considered as policies peculiar to the respective regions to be respected as long as the regional policies are broadly in tune with Global Policies, and where the RIRs propose policies that extend beyond one region, the policies could be treated as regional inputs at mid-level of the bottom up policy making process of the IANA functions.

3. *Cognizant of concerns previously raised by some governments and ccTLD operators and the need to ensure the stability of and security of the DNS, are there changes that could be made to how root zone management requests for ccTLDs are processed? Please provide specific information as to why or why not. If yes, please provide specific suggestions.*

I am not familiar with the inside workings of the process of handling root zone management requests. At the same time, my general suggestion is that the technical policies and processes for root zone management of ccTLDs should be the same as that of gTLDs. Except for the essential differences in category, that of a gTLD being global and a ccTLD being national, and for the differences in the process of delegation, there ought not to be any technical separation of ccTLDs from gTLDs in the root zone or in the DNS.

4. *Broad performance metrics and reporting are currently required under the contract.⁷ Are the current metrics and reporting requirements sufficient? Please provide specific information as to why or why not. If not, what specific changes should be made?*

The current performance metrics and reporting requirements appear to have been drafted based on templates of Government Contracts for general purchase of goods and

services rather than a contract drafted for the unique situation of an independent organization that is part of a non-commercial corporation with a multi-stakeholder governance model carrying out the Number functions for the global Internet. The terminology “cost contract” at “no costs to the US Government” and “the contractor receives no fees” does not fit in at all.

The reporting requirements also appear to come from a Government contract modalities and procedures, rather than from the realities and the unique needs of the IANA functions.

The emphasis could instead be on checks and balances, rather than on forms and paperwork. (The inspiration for the idea of checks and balances comes from the elaborately conceived American Constitution.)

5. *Can process improvements or performance enhancements be made to the IANA functions contract to better reflect the needs of users of the IANA functions to improve the overall customer experience? Should mechanisms be employed to provide formalized user input and/or feedback, outreach and coordination with the users of the IANA functions? Is additional information related to the performance and administration of the IANA functions needed in the interest of more transparency? Please provide specific information as to why or why not. If yes, please provide specific suggestions.*

ICANN helps coordinate IANA's areas of responsibilities; IANA does not set policies, but follows the policies developed by the community policy development process of ICANN and follows the technical standards developed by the Internet Technical Community. Its present outreach activities at ICANN and IETF and with TLD operators, RIRs are sufficient given its role as a body that does not directly decide on its policies. However, IANA could extend / improve upon its outreach activities with ccTLDs with a view to work towards blurring the distinctions between gTLDs and ccTLDs in areas where a separation is unnecessary.

6. *Should additional security considerations and/or enhancements be factored into requirements for the performance of the IANA functions? Please provide specific information as to why or why not. If additional security considerations should be included, please provide specific suggestions.*

ICANN's Security and Stability teams pay ample attention to the Security needs of the

root zone and the DNS, and are dedicated to the cause of ensuring the security and stability of the Internet. Additional Security considerations could be shared with them but such concerns may not quite fit in as contractual obligations on the part of IANA. It would be more effective to rely on informal and time to time communications with the Security and Stability teams of ICANN, (or better still, to share the Security concerns through the multi-stakeholder process) than to seek to draft clauses after clauses for compliance, which can not possibly be as thorough when drafted as contractual clauses. Informal communication with ICANN's Security and Stability volunteers, or formal participation through a multi-stakeholder Policy Development Process would help define the needs better by actually filling in gaps in Government's definitions of Security needs while helping to redefine inadequately advised or unnecessary concerns if any.

It is vital to preserve the Internet numbering system as a central, unified, singular function. IANA has been the Authority that has maintained these functions that are essential to the stability of the DNS. But IANA's performance of its functions are not to be assumed as a result of the oversight and definitely not to be assumed to be a result of the clauses enumerated in the "purchase order" so drafted.

IANA is the legacy of Jon Postel. It functions more by following Community Standards and Community Policies rather than from Governmental directives.

US Government has so far assumed a purpose in holding on to the IANA contract and to the very process of contracting, as the contracting party. This is a political position that arises out of concern for two conflicting causes, namely, concern for the Security and Stability of the Internet which is Global and universally benevolent as also by an unwillingness to concede this central, symbolic and vital function to the multilateral, possibly multi-stakeholder arena. Even part of this unwillingness to give up its unilateral hold could possibly arise from apprehensions of altering the Security and Stability of the Internet. However, viewed from the outside as an outsider, it appears narrow and counter-productive to America's Global thinking to hold on to its traditional role of being the unilateral contracting party to IANA.

IANA is totally useless to the United States of America as a infrastructural, strategic or even a symbolic asset. America's unilateral control over IANA accords merely a notional Authority and an empty position of actual power that is akin to the empty power of nuclear weapons that can't even be used on the negotiating table. What would the United States do by retaining the IANA functions? Would it shut down an existing TLD that is a commercial success or deny any new TLD that emerges from the ICANN Board? Would it exclude any one country or region from the Internet, friend or foe? Would it negotiate for its national trade interests in exchange for 'granting' a larger address space?

While the rest of the world has broader trust in the United States and largely understands that the US position on IANA functions is mostly symbolic, there remains a widespread feeling of discomfort that it is not entirely fair that US should maintain unilateral control of the root, and this gives room for spoken and unspoken differences with at least a few of the rest of the world. US could choose not to take note and could continue for an extended period, but it would be in tune with the US spirit of Internationalism to make this contracting process inclusive.

While it is important to include all or more participants, it is necessary to ensure a responsible transition from unilateral control to a balanced, coordinated multilateral / multistakeholder oversight.

My recommendations as an individual, (drafted entirely and completely on my own, without any reference to any of the published or unpublished views of the Government of my country or any other, and without any form of help or consultation or even conceptual correction from the community I belong to) is that the United States Government could gracefully graduate IANA from being a US Government 'contractor' to that of an independent, truly global, non-governmental, apolitical organ that is coordinated by ICANN which has an exemplary form of Governance which is being strengthened more and more as a transparent and accountable multi-stakeholder organization.

What is desirable is not a contract, not even a multi-lateral contract, but a process of

checks and balances. ICANN, which sets broader policies for IANA, has the desired process of checks and balances largely built in already and American Government could inspire the ICANN community to further strengthen the processes of checks and balances within for a greater balance.

Such a gesture for the good of the Internet and for the good of the whole world, would cause America to part with this notional and unusable Authority and gain greater informal Influence over global Internet policy, and would naturally gain deeper and wider acceptance of US concerns over broader global issues.

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